

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHARLES V. VACCARO,

Plaintiff,

-against-

THE BANK OF NEW YORK COMPANY, INC.,

Defendant.

Index No. 07 Civ. 6793 (DLC)

STIPULATION OF
DISMISSAL WITH
PREJUDICE

By agreement of the Parties hereto, the undersigned, counsel of record to the Parties hereto, stipulate and agree that this action is dismissed, in its entirety, with prejudice and without costs or attorneys' fees.

Dated: New York, New York
February 28, 2008

WHITE & CASE LLP

LAW OFFICES OF PAUL J. GIACOMO, JR.

By:

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By:

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SO ORDERED:

[Signature]
UNITED STATES DISTRICT JUDGE

February 28, 2008

